

BOARD FOR CONTRACTORS BOARD MEETING

DRAFT MINUTES

The Board for Contractors met on Tuesday, April 8, 2008 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 12 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark Kinser, Chairman
Mark Cronin
Kenneth Hart
Robert M. Kirby
Jack Miller
Jeffrey Modisett
Ann Rackas Pate
Michael Redifer
Troy Smith
Deborah Lynn Tomlin
Wyatt H. Walton
Dorothy Wood

Board Members absent from the meeting were: Mark Cronin and Kenneth Hart

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
Saba Shami, Chief Deputy
Mark Courtney, Deputy Director
Eric L. Olson, Executive Director
Steven Jack, Assistant Attorney General
Karen Kenney, Administrative Assistant
Earlyne Perkins, Legal Analyst
Victoria Traylor, Legal Analyst
Doug Schroder, Director Adjudication
Adrienne Mayo, Regulatory Boards Administrator

Chairman Mark Kinser called the meeting to order at 9:05 a.m. and declared declared a of board members was in attendance.

**Call
To Order**

A motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to approve the agenda as written. The motion passed unanimously. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

**Approval of the
Agenda**

Cronin and Hart were absent.

Mr. Kirby moved to approve the following minutes as submitted from the:

**Approval of
Minutes**

March 4, 2008, Board for Contractor Meeting
February 26, 2008 Informal Fact Finding Conference
March 11, 2008 Informal Fact Finding Conference
March 13, 2008 Informal Fact Finding Conference
March 18, 2008 Informal Fact Finding Conference

Mr. Modisett seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

There was no public comment.

**Public Comment
Period**

In the matter of License Application File Number 2008-02479, Goodfellers Tree Service & Excavating, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2008-02479
Goodfellers Tree
Service &
Excavating, Inc.**

Applicant Matthew D. Denson of Goodfellers Tree Service & Excavating, Inc. appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. **The motion passed by unanimous vote. Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of License Application File Number 2008-02479, Kevin Cooper, the Board members reviewed the record, which consisted of the application file, transcript,

**File Number
2008-02620**

exhibits, and Summary of the Informal Fact-Finding Conference.

Kevin Cooper

Applicant Kevin Cooper appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by unanimous vote. Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of License Application File Number 2008-02703, Turning Point Construction, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2008-02703
Turning Point
Construction, LLC

Applicant John Michael Phillips of Turning Point Construction, LLC appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by majority vote. Members voting “yes” were: Kinser, Miller, Modisett, Redifer, Smith, Tomlin, and Wood.**

Kirby, Walton and Rackas Pate voted “No.”

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-03291, John & Jacquelyn Banahan (Claimants) vs. Select Residential Renovations (Regulant); was continued to the May 20, 2008 Board for Contractors Board Meeting

File Number
2007-03291
John & Jacquelyn
Banahan vs. Select
Residential
Renovations

In the matter of Recovery Fund File Number 2007-03926, Richard & Mary Jan Cogan (Claimants) vs. C & S Renovations, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **C & S Renovations, Inc. (Regulant)** did not appear at the board meeting. **Richard Cogan (Claimant)** attended the board meeting. **Mr. Hollar**, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer’s

File Number
2007-03926
Richard & Mary
Jan Cogan vs. C &
S Renovations, Inc.

recommendations and summary for violations and approved the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-04408, Angelo & Regina McPherson (Claimants) vs. Maurice Garris, t/a MVG Enterprises (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Maurice Garris, t/a MVG Enterprises (Regulant)** did not appear at the board meeting. **Angelo & Regina McPherson (Claimants)** attended the board meeting. **Mr. Hollar**, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer’s recommendations and summary for violations and approved the claim for payment in the amount of **\$9,043.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

File Number
2007-04408
Angelo & Regina
McPherson vs.
Maurice Garris, t/a
MVG Enterprises

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-04631, Lola & William Terry (Claimants) vs. I.H.S. Enterprises, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **I.H.S. Enterprises, LLC (Regulant)** did not appear at the board meeting. **Lola & William Terry (Claimants)** appeared at the board meeting. They addressed the Board. **Mr. Hollar**, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the claim review the hearing officer’s recommendations and summary for violations and approved the claim for payment in the amount of **\$14,109.11**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

File Number
2007-04631
Lola & William
Terry vs. I.H.S.
Enterprises, LLC

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-04680, James R. Curry (Claimant) vs. Shoreline Technologies, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Shoreline Technologies, Inc. (Regulant)** did not appear at the board meeting. **James Curry (Claimants)** appeared at the board meeting. **Mr. Hollar**, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the claim review and the hearing

File Number
2007-04680
James R. Curry vs.
Shoreline
Technologies, Inc.

officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$5,127.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-04681, Paul & Georgina Stewart (Claimants) vs. Richard Park, t/a Pinetree Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Richard Park, t/a Pinetree Construction (Regulant)** did not appear at the board meeting. **Paul & Georgina Stewart (Claimant)** did not appear at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$2,948.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

File Number
2007-04681
Paul & Georgina
Stewart vs.
Richard Park, t/a
Pinetree
Construction

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-04746, Robert Collins (Claimant) vs. John Wappenstein, t/a baker Construction, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert Collins (Regulant)** did not appear at the board meeting. **Robert Collins (Claimant) and Jay R. Parker** appeared at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

File Number
2007-04746
Robert Collins vs.
John Wappenstein,
t/a baker
Construction, Inc.

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2007-04900, Timothy & Lori Lawrence (Claimants) vs. Realistic Painting & Improvements, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Realistic Painting & Improvements, LLC (Regulant)** did not appear at the board meeting. **Timothy Lawrence (Claimant)** appeared at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms.**

File Number
2007-04900
Timothy & Lori
Lawrence vs.
Realistic Painting
& Improvements,
LLC

Rackas Pate to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-01161, Sherry Reed (Claimant) vs. ACME Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **ACME Construction (Regulant)** did not appear at the board meeting. **Sherry Reed (Claimant)** appeared at the board meeting. She addressed the Board. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$9,618.91**. The motion passed by majority vote. Members voting "Yes" were: **Kirby, Miller, Rackas Pate, Redifer, Smith, Tomlin, and Wood**.

File Number
2008-01161
Sherry Reed vs.
ACME
Construction

Kinser, Modisett and Walton voted "No."

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-00649- Prima Facie, Donald & Julie McMullin (Claimant) vs. Daniel Jamison (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Daniel Jamison (Regulant)** did not appear at the board meeting. **Donald & Julie McMullin (Claimants)** appeared at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

File Number
2008-00649
Donald & Julie
McMullin vs.
Daniel Jamison

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-02420- Prima Facie, Ronald Zimbardo (Claimant) vs. J S Young Construction Group, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **J S Young Construction Group, Inc. (Regulant)** did not appear at the board meeting. **Ronald Zimbardo (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the claim review and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and**

File Number
2008-02420
Ronald E. Zimbardo
vs. J S Young
Construction
Group, Inc.

Wood.

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-02507- Prima Facie, Robert Rauch (Claimant) vs. S & S Jean Construction Co., Inc., (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **S & S Jean Construction Co., Inc., (Regulant)** did not appear at the board meeting. **Robert Rauch (Claimant)** appeared at the board meeting. He addressed the Board. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the claim review and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

File Number
2008-02507
Robert Rauch vs. S
& S Jean
Construction Co.,
Inc.

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-02526- Prima Facie, Joanne & Charles Marcus (Claimants) vs. Michael Diggs, t/a Ace Designs & Construction (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Michael Diggs, t/a Ace Designs & Construction (Regulant)** did not appear at the board meeting. **Joanne Marcus (Claimant)** appeared at the board meeting. She addressed the Board. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

File Number
2008-02526
Joanne & Charles
Marcus vs. Michael
Diggs, t/a Ace
Designs &
Construction

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-01546- Prima Facie, Jose Paz (Claimant) vs. A-1 Builder, Inc., (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **A-1 Builder, Inc., (Regulant)** did not appear at the board meeting. **Jose Paz (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Ms. Wood** to adopt the claim review and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

File Number
2008-01546
Jose Paz vs. A-1
Builder, Inc.

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-01668- Prima Facie, Deborah Horn (Claimant) vs. Premier Fence and Deck, LLC, (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Premier Fence and Deck, LLC, (Regulant)** did not appear at the board meeting.

File Number
2008-01668
Deborah Horn vs.
Premier Fence and

Deborah Horn (Claimant) did not appear at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the claim review and approve the claim for payment in the amount of **\$5,043.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

Deck, LLC

Cronin and Hart were absent.

In the matter of Recovery Fund File Number 2008-02405- Prima Facie, Maryanne Gable(Claimant) vs. Lapco, Inc., t/a Shoreline Pool Builders., (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Lapco, Inc., t/a Shoreline Pool Builders, (Regulant)** did not appear at the board meeting. **Maryanne Gable (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to adopt the claim review and approve the claim for payment in the amount of **\$2,243.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

File Number
2008-02405
Maryanne Gable
vs. Lapco, Inc., t/a
Shoreline Pool
Builders

Cronin and Hart were absent.

The Board recessed from 9:53 a.m. to 10:15 a.m.

Recess and
Reconvene

Ms. Reed requested that the Board re-open her Recovery Fund case. Her request was denied.

File Number
2008-01161
Sherry Reed vs.
ACME
Construction

A. Applications were received from 51 education providers requesting approval by the Board. The Board for Contractors Committee recommended that 49 be immediately approved and that two be denied until such time as they amended their course material as requested.

Other Board
Business –
Committee Report

After discussion, a motion was made **Mr. Walton** and seconded by **Ms. Wood** to adopt the Committee’s recommendation and approve **D. E. Kirby, Inc.** application. The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood**.

D. E. Kirby, Inc.

Kirby was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the Committee's recommendation and defer approval pending submittal of additional information from **Astracor, Inc.** The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Astracor, Inc.

Cronin and Hart were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Committee's recommendation and approve **Southern Air, Inc.** application. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Redifer, Smith, Tomlin, Walton and Wood.**

Southern Air, Inc.

Rackas Pate and Mr. Modisett were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

After discussion, a motion was made by **Mr. Modisett** and seconded by **Ms. Rackas Pate** to adopt the Committee's recommendation and approve **Valley Vocational Technical Center** application. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Smith, Tomlin, Walton and Wood.**

**Valley Vocational
Technical Center**

Mr. Redifer was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

After further discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to adopt the Committee's remaining recommendations:

Provider Name	Course Type	Subject Area(s)	Provisional Approval	Committee Recommendation
AAA Contractor Training	Contractors Remedial Education and Tradesman CE	Basic Business, ELE		•1 Approval of Remedial Education •2 Non-approval of Electrical CE course as it does not provide a comprehensive update of all applicable Code changes.
Across	Contractors	Basic		Approval

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Virginia Contractor Education & Exam Prep	Remedial Education			
American Contractor Exam Services	Tradesman CE	Electrical		Approval
American Inspection Agency, Inc.	Tradesman CE	ELE		<ul style="list-style-type: none"> •1 Approval as follows: Require both of the Major 2008 Changes courses for 3 hours credit. •2 Non-approval of Interpreting the 2008 NEC course as it does not provide a comprehensive update of all applicable Code changes.
American Trainco, Inc.	Tradesman CE	ELE	Granted 02/06/08	Approval
Associated Builders and Contractors – Virginia Chapter	Tradesman CE	ELE		Approval
Bay Area Inspection Agency, Inc.	Tradesman	ELE		Approval
Bay Electric Co., Inc.	Tradesman CE	ELE		Approval
Carolinas Electrical Contractors Association, Inc.	Tradesman CE	ELE		Approval
Carr Contracting Services	Tradesman CE and Contractors Prelicense Education	GFC, HVAC		<ul style="list-style-type: none"> •3 Approval of the Mechanical and Fuel Gas Code courses. •4 Non-approval of the Contractor Prelicense course

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				due to inadequate coverage of contracting and contractor licensing.
Central Virginia Compliance Consultants	Tradesman CE	ELE, HVAC, PLB, GFC	Granted 02/01/08	Approval
Charles E. Grant, Jr./Larry A. Waldron	Tradesman CE	ELE		Approval under the name of Co-Train
City of Richmond	Tradesman CE	ELE, PLB, HVAC, GFC		Approval
College of Southern Maryland	Tradesman CE	ELE		Approval
Dana Smith	Tradesman CE	PLB, GFC, HVAC		Approval
Department of Housing and Community Development	Tradesman CE	ELE, PLB, HVAC, GFC		Approval
Design Electric Inc	Tradesman CE	ELE		Approval
Education and Training Services	Tradesman CE	ELE, PLB, HVAC, GFC		Approval
Edwin Ward	Tradesman CE	ELE, PLB, HVAC, GFC		Approval
Hampton Roads JATC	Tradesman CE	ELE		Approval
Herald & Company	Tradesman CE	ELE	Granted 1/18/08	Approval
HVAC Controls School	Tradesman CE and Vocational	HVAC, GFC	Granted for CE 1/14/08	Approval
IEC Chesapeake	Tradesman CE	ELE		•1 Approval of 10-hour Changes to the

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Chapter				2008 NEC course •2 Non-approval of the Motor Calculations course as it does not provide a comprehensive update of all applicable Code changes.
IEC Hampton Roads	Tradesman CE	ELE		Approval
Jamison Electrical Company, Inc.	Tradesman CE	ELE	Granted 02/08/08	Approval
Mark Cartwright	Tradesman CE	PLB, HVAC, GFC		Non-approval as courses does not fulfill the required timeframe for instruction.
Massanutten Technical Center	Tradesman CE	HVAC, PLB, GFC	Granted 1/11/08	Approval
Massanutten Technical Center	Vocational Training	Backflow Prevention Device Worker		Approval
Master Institute	Tradesman CE	ELE, PLB, HVAC, GFC, LPG, NGF		Non- approval as courses are inapplicable to Virginia Board requirements and are not comprehensive updates of all applicable Code changes.
Middle Department Inspection Agency, Inc.	Tradesman CE	ELE		•1 Approval of NEC Change Seminar •2 Non-approval of all other course submissions as they do not provide a comprehensive update of all applicable Code

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				changes.
Mike Holt Enterprises	Tradesman CE	ELE		Approval
MS Electrical Training	Tradesman CE	ELE		Approval
Millennium Institute of Construction	Tradesman CE	ELE		Approval
National Technology Transfer	Tradesman CE	ELE, PLB		Approval
NC Association of Electrical Contractors	Tradesman CE	ELE	Granted 12/20/07	Approval
Olin Technical Services Inc.	Tradesman CE	ELE		Non-approval of course as it does not provide a comprehensive update of all applicable Code changes.
Plumbers and Steamfitters Local Union 10 Joint Apprenticeship School	Tradesman CE	PLB, HVAC, GFC		Approval
Qualified Gas Contractors Association	Tradesman CE	PLB, HVAC		Approval
Richmond Technical Center	Tradesman CE	ELE, PLB, HVAC, GFC		Approval
S. Wayne Cook	Tradesman CE	ELE		Approval
St. Clair Consulting, Inc.	Tradesman CE	PLB, HVAC, GFC		Approval
Technical Educational Services, LLC	Tradesman CE	ELE		Applicant requested that application be withdrawn
Tyler Kirkner	Tradesman CE	ELE, PLB,		Approval

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		HVAC, GFC		
UA Mechanical Trade School	Tradesman CE	PLB, GFC		Approval
Virginia Water Well Association	Water Well CE		Granted 2/26/08	Approval
Washington DC JATC	Tradesman CE	ELE	Granted 12/20/07	Approval
Merck & Co., Inc.	Tradesman CE	ELE		Approval

The motion passed by unanimous vote. Members voting “Yes” were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2006-05373, Joseph Hernandez, t/a Display Homes (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Joseph Hernandez, nor anyone on behalf of Display Homes appeared at the IFF or the Board meeting.**

**File Number
2006-05373
Joseph Hernandez,
t/a Display Homes**

The presiding Board representative **Ms. Wall and Mr. Kinser** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Joseph Hernandez, t/a Display Homes**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 29	Effective 9-1-2001
Count 3:	18 VAC 50-22-230 B	Effective 9-1-2001
Count 4:	18 VAC 50-22-260 B 13	Effective 9-1-2001
Count 5:	18 VAC 50-22-260 B 28	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$600.00	
Count 3:	\$850.00	
Count 4:	\$1,350.00	
Count 5:	\$1,900.00	
Total		\$5,200.00

In addition, for violation of Counts 1,2 and 3, the Board required **Joseph Hernandez** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-103179 for the violation of Counts 4 and 5.

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-00402, Edwards Construction Co., t/a Edwards Construction Co. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Gilbert Edwards** on behalf of Edwards Construction Co. appeared at the IFF but not the Board meeting. It is noted that Mr. Edwards could not appear at the Board meeting because of illness.

File Number
2007-00402
Edwards
Construction Co.,
t/a Edwards
Construction Co.

The presiding Board representative **Mr. Kinser** was not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Edwards Construction Co.**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 5	
Count 5:	18 VAC 50-22-260 B 15	

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$300.00	
Count 2:	\$300.00	
Count 3:	2,000.00	
Count 4:	\$1,000.00	
Count 5:	\$500.00	
Total		\$4,100.00

In addition, for violation of Counts 1, 2 3, 4, and 5, the Board required **Edwards Construction Co.** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-103179 for the violation of Counts 4 and 5.

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-04025, Rock Builders, Inc., t/a Rock builders, Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Rock Builders, Inc., nor anyone on behalf of Rock Builders, Inc. appeared at the IFF or the Board meeting.**

**File Number
2007-04025
Rock Builders,
Inc., t/a Rock
Builders, Inc.**

The presiding Board representative **Mr. Kinser** was not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Rock Builders, Inc.** violated the following sections of its Regulations:

Effective January 1, 2003

Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 15	
Count 3:	18 VAC 50-22-260 B 15	
Count 4:	18 VAC 50-22-260 B 13	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	\$300.00	
Count 2:	\$1,500.00	
Count 3:	\$1,500.00	
Count 4:	\$1,500.00	
Total		\$4,800.00

In addition, for violation of Counts 1,2 and 3, the Board required **Rock Builders, Inc.** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-061724 for the violation of Count 4.

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-02629, Richard A. Clifton (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Richard A. Clifton,** nor anyone on behalf of Richard A. Clifton appeared at the IFF or the Board meeting.

File Number
2007-02629
Richard A. Clifton

The presiding Board representatives **Ms. Wall and Mr. Kinser** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Richard A. Clifton,** violated the following sections of its Regulations:

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Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 2	
Count 2:	18 VAC 50-22-230 A	
Count 3:	18 VAC 50-22-260 B	
Count 4:	18 VAC 50-22-260 B 6	
Count 5:	18 VAC 50-22-260 B 27	
Count 6:	18 VAC 50-22-260 B 6	
Count 7:	18 VAC 50-22-260 B 12	
Count 8:	18 VAC 50-22-260 B 13	
Count 9:	18 VAC 50-22-260 B 28	Two violations
Count 10:	18 VAC 50-22-260 B 22	
Count 11:	18 VAC 50-22-260 B 23	
Count 12:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$650.00	
Count 2:	\$350.00	
Count 3:	\$600.00	
Count 4:	\$800.00	
Count 5:	\$650.00	
Count 6:	\$800.00	
Count 7:	\$850.00	
Count 8:	\$1,350.00	
Count 9:	\$3,800.00	\$1900 per violations
Count 11:	\$700.00	
Count 12:	\$850.00	
Total		\$11,400.00

In addition, for violation of Counts 2 and 3, the Board required **Richard A. Clifton** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-104623 for the violation of Counts 1, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

As to Count 10, pursuant to § 54.1-202 of the Code of Virginia, no

monetary penalty may be imposed for the violation of the regulation.
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The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-03153, J A J Contracting, Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither J A J Contracting,** nor anyone on behalf of J A J Contracting, Inc. appeared at the IFF or the Board meeting.

File Number
2007-03153
J A J Contracting,
Inc.

The presiding Board representatives **Ms. Wall and Mr. Kinser** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **J A J Contracting, Inc.,** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 14	Effective 9-1-2001
Count 3:	18 VAC 50-22-260 B 16	Effective 9-1-2001
Count 4:	18 VAC 50-22-230 B	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$1,800.00	
Count 3:	\$1,950.00	
Count 4:	\$850.00	
Total		\$5,000.00

In addition, for violation of Counts 1 and 4, the Board required **J A J Contracting** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-102502 for the violation of Counts 2 and 3.

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-04019, Benjamin A. Jackson, Jr. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Benjamin A. Jackson, Jr.,** nor anyone on behalf of Benjamin A. Jackson, Jr. appeared at the IFF or the Board meeting.

File Number
2007-04019
Benjamin A.
Jackson, Jr.

The presiding Board representatives **Ms. Wall and Mr. Kinser** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Benjamin A. Jackson, Jr.,** violated the following sections of its Regulations:

Effective February 1, 2001		
Count 1:	18 VAC 50-22-260.B 14	
Count 2:	18 VAC 50-22-260 B 16	
Count 3:	18 VAC 50-22-260 B 13	
Count 4:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	\$1,800.00	
Count 2:	\$1,950.00	

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Count 3:	\$1,350.00	
Count 4:	\$1,900.00	
Total		\$7,000.00
The Board imposed revocation of license number 2705-079877 for the violation of Counts 1 to 4.		

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser was not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-00821, Charles A. Guest, t/a Guest Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Charles A. Guest,** nor anyone on behalf of Guest Construction appeared at the IFF or the Board meeting.

File Number
2007-00821
Charles A. Guest,
t/a Guest
Construction

The presiding Board representatives **Mr. Kinser and Mr. Smith** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Charles A. Guest**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 17	
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 17	
Count 7:	18 VAC 50-22-260 B 14	
Count 8:	18 VAC 50-22-260 B 5	

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to

impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$1,800.00	
Count 3:	\$1,500.00	
Count 4:	\$1,500.00	
Count 5:	\$2,000.00	
Count 6:	\$2,000.00	
Count 7:	\$2,000.00	
Count 8:	\$2,500.00	
Total		\$13,700.00
In addition, for violation of Counts 1, 2, 3, 4 and 5, the Board required Charles A. Guest have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-1076328 for the violation of Counts 6, 7 and 8.		

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.**

Kinser and Smith were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-01580, Earnest Eugene Crawford, Jr., t/a C & A Exteriors (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Earnest Eugene Crawford, Jr.** nor anyone on behalf of Earnest Eugene Crawford, Jr. appeared at the IFF or the Board meeting.

**File Number
2007-01580
Earnest Eugene
Crawford, Jr., t/a
C & A Exteriors**

The presiding Board representatives **Mr. Kinser and Mr. Smith** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Earnest Eugene Crawford**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B 15	

Count 2:	18 VAC 50-22-260 B 16	
Count 3:	18 VAC 50-22-260 B 13	Effective 9-1-2001
Count 4:	18 VAC 50-22-260 B 28 (2 violations)	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$1,800.00	
Count 2:	\$2,000.00	
Count 3:	\$2,000.00	
Count 4:	\$2,000.00	
Total		\$7,800.00
The Board imposed revocation of license number 2705-095161 for the violation of Counts 1, 2, 3 and 4.		

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.**

Kinser and Smith were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-04511, Roger A. St. Clair, t/a St. Clair’s Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Roger A. St. Clair** nor anyone on behalf of Roger A. St. Clair appeared at the IFF or the Board meeting.

**File Number
2007-04511
Roger A. St. Clair,
t/a St. Clair’s
Construction**

The presiding Board representatives **Mr. Kinser, Ms. Rackas Pate and Ms. Wall** were not present, did not participate in the discussion and did not vote. Mr. Kirby chaired. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Roger A. St. Clair**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 17	
Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting yes were: Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$650.00	
Count 3:	\$500.00	
Count 4:	\$1,800.00	
Count 5:	\$800.00	
Count 6:	\$1,950.00	
Total		\$6,050.00
The Board imposed revocation of license number 2705-028821 for the violation of Counts 1 – 6.		

The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser and Rackas Pate were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

After the arrival of Roger A. St. Clair, Amy St. Clair and discussion by the Board, a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to re-open this case. The motion was approved unanimously. **Members voting “yes” were: Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser and Rackas Pate were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

Roger A. St. Clair and Amy St. Clair addressed the Board. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Modisett** to withdraw the Board's previous decision and to table this case in order to draft a Consent Order. The motion was approved unanimously. **Members voting "yes" were: Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser and Rackas Pate were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order File Number 2007-04511, Board v. Roger A. St. Clair, t/a St. Clair's Construction, the Board reviewed the Consent Order.

File Number
2007-04511

Roger A. St. Clair,
t/a St. Clair's
Construction

Roger A. St. Clair and Amy St. Clair were present at the Board meeting.

Roger A. St. Clair, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$0.00
Count 2:	18 VAC 50-22-260 B 27	\$0.00
Count 3:	18 VAC 50-22-260 B 6	\$0.00
Count 4	18 VAC 50-22-260 B 17	\$500.00
Count 5:	18 VAC 50-22-260 B 6	\$0.00
Count 6:	18 VAC 50-22-260 B 16	\$500.00
Board Costs		\$250.00
Total		\$1,250.00

In addition, for violation of Count 6, Roger A. St. Clair agrees to reimburse \$6,000.00 to Sherry A. Long and provide the Board with proof of the payment within ninety (90) days. If Roger A. St. Clair fails to comply with these conditions, then license revocation shall be automatically imposed.

Further, Roger A. St. Clair agrees to have a member of the Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Walton** seconded by **Mr. Modisett** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kirby, Miller, Modisett, Redifer, Smith, Tomlin, Walton and Wood.**

Kinser and Rackas Pate were not present; did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-01706, American Home Builders, Inc., American Home Builders Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Joshua Solovskoy** on behalf of American Home Builders appeared at the IFF but not the Board meeting.

**File Number
2007-01706
American Home
Builders, Inc., t/a
American Home
Builders, Inc.**

The presiding Board representatives **Ms. Wood and Ms. Wall** were not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **American Home Builders, Inc.**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 31	two violations
Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 15	

The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$400.00	
Count 3:	\$800.00	
Count 4:	\$1,200.00	
Count 5:	\$800.00	
Count 6:	\$1,700.00	
Total		\$5,250.00
In addition, for violation of Counts 1 and 2, the Board required American Home Builders, Inc. have a member of Responsible		

Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-077467 for the violation of Counts 3, 4, 5 and 6.

The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton**

Wood did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-03820, M & M Remodeling, LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither M & M Remodeling, LLC,** nor anyone on behalf of M & M Remodeling, LLC appeared at the IFF or the Board meeting.

File Number
2007-03820
M & M
Remodeling, LLC

The presiding Board representative **Ms. Wood** was not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **M & M Remodeling, LLC**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-260 B 9	Effective 2-1-2006
Count 3:	18 VAC 50-22-260 B 10	Effective 9-1-2001
Count 4:	18 VAC 50-22-260 B 26	Effective 9-1-2001
Count 5:	18 VAC 50-22-260 B 5	Effective 9-1-2001
Count 6:	18 VAC 50-22-260 B 16	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$200.00	
Count 2:	\$500.00	

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Count 3:	\$400.00	
Count 4:	\$1,000.00	
Count 5:	\$2,500.00	
Count 6:	\$2,500.00	
Total		\$7,100.00
In addition, for violation of Counts 1, 2, and 3 the Board required M & M Remodeling, LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-062262 for the violation of Counts 4, 5 and 6.		

The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.**

Wood did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-02303, Awais Builders, Inc., t/a A-Plus Mechanical Contractors (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Awais Builders, Inc.** nor anyone on behalf of Awais Builders, Inc. appeared at the IFF or the Board meeting.

File Number
2007-02303
Awais Builders,
Inc., t/a A-Plus
Mechanical
Contractors

The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Awais Builders, Inc.**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 10	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$500.00	
Total		\$1,000.00
In addition, for violation of Counts 1 and 2, the Board required Awais Builders, Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		

The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.**

Smith did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-04790, Mayeux’s Home Improvements, Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Mayeux’s Home Improvements, Inc.** nor anyone on behalf of Mayeux’s Home Improvements, Inc. appeared at the IFF or the Board meeting.

File Number
2007-04790
Mayeux’s Home
Improvements, Inc.

The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Mayeux’s Home Improvements, Inc.,** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 28	

The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$0.00	
Total		\$0.00
The Board imposed revocation of license number 2705-083182 for the violation of Count 1.		

The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.**

Smith did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-03239, Joseph Hernandez, t/a Display Homes (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Joseph Hernandez, t/a Display Homes** nor anyone on behalf of Joseph Hernandez appeared at the IFF or the Board meeting.

File Number
2007-03239
Joseph Hernandez,
t/a Display Homes

The presiding Board representatives **Ms. Wall and Mr. Redifer** were not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Joseph Hernandez**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 16	Effective 9-1-2001
Count 3:	18 VAC 50-22-260 B 13	Effective 9-1-2001

The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$1,950.00	

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Count 3:	\$1,350.00	
Total		\$3,700.00
In addition, for violation of Counts 1, the Board required Joseph Hernandez have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-103179 for the violation of Counts 2 and 3.6.		

The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Smith, Tomlin, Walton and Wood.**

Redifer did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-02380, Evans Contracting Associates, Inc., (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Evans Contracting Associates, Inc.,** nor anyone on behalf of Evans Contracting Associates, Inc. appeared at the IFF or the Board meeting.

**File Number
2007-02380
Evans Contracting
Associates, Inc.**

The presiding Board representatives **Ms. Wall and Mr. Kirby** were not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Evans Contracting Associates, Inc.,** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-260 B 6	
Count 5:	18 VAC 50-22-260 B 17	
Count 6:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting yes were: Kinser, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$400.00	
Count 3:	\$1,950.00	
Count 4:	\$800.00	
Count 5:	\$1,500.00	
Count 6:	\$1,900.00	
Total		\$6,900.00
<p>In addition, for violation of Counts 1 and 2, the Board required Evans Contracting Associates, Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license number 2705-069612 for the violation of Counts 3, 4, 5 and 6.</p> <p>The Board rejected the recommendation to impose revocation for the violation of Count 2, and instead imposed the sanction of remedial education to be consistent with previous Board action of similar violations of the regulation.</p>		

The motion was approved unanimously. **Members voting “yes” were: Kinser, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Kirby did not participant in the discussion and did not vote.

Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-02648, Davinci Construction, Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Davinci Construction, Inc.,** nor anyone on behalf of Davinci Construction, Inc. appeared at the IFF or the Board meeting.

File Number
2007-02648
Davinci
Construction, Inc.

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. Mr. Kinser resumed as chairman. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Davinci Construction, Inc.,** violated the following sections of its Regulations:

Count 1: § 54.1-1110 of the Code of Virginia

The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to impose the following sanctions:

As to Count 1, the Board voted to impose no penalty for the violation of the Statute.

The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order File Number 2007-02244, Board v. Sun Builders Inc, the Board reviewed the Consent Order.

**File Number
2007-02244
Sun Builders Inc.**

Cheryl Hall and David Branch complainants were present at the Board meeting.

Sun Builders Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6 (5 violations)	\$0.00
Count 2:	18 VAC 50-22-260 B 16	\$0.00
Count 3:	18 VAC 50-22-260 B 28 (7 violations)	\$0.00
Board Costs		\$500.00
Total		\$500.00
In addition, for violation of the above counts, Su Builders Inc agrees to revocation of its license.		

Upon a motion by **Ms. Wood** seconded by **Ms. Rackas Pate** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser did not participate and did not vote.

In the matter of Consent Order File Number 2007-02685, Board v. Sun Builders Inc., the Board reviewed the Consent Order.

**File Number
2007-02685
Sun Builders, Inc.**

Michelle Bielovitz complainant was present at the Board meeting.

Sun Builders Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$0.00
Count 2:	18 VAC 50-22-260 B 6	\$0.00
Count 3:	18 VAC 50-22-260 B 16	\$0.00
Count 4:	18 VAC 50-22-260.b.28 (7 violations)	\$0.00
Count 5:	18 VAC 50-22-260.B.12	\$0.00
Board Costs		\$500.00
Total		\$500.00
In addition, for violation of the above counts, Su Builders Inc agrees to revocation of its license.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser did not participate and did not vote.

In the matter of Consent Order File Number 2008-00297, Board v. Sun Builders Inc., the Board reviewed the Consent Order.

**File Number
2008-00297
Sun Builders Inc**

Lori Belethon complainant was present at the Board meeting.

Sun Builders Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$0.00
Count 2:	18 VAC 50-22-260 B 15	\$0.00
Board Costs		\$500.00

Total	\$500.00
In addition, for violation of the above counts, Su Builders Inc agrees to revocation of its license.	

Upon a motion by **Mr. Redifer** seconded by **Ms. Rackas Pate** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser did not participate and did not vote.

In the matter of Consent Order File Number 2007-01657, Board v. Joyner Brothers Construction Inc. t/a Joyner Brothers Construction Inc, the Board reviewed the Consent Order.

**File Number
2007-01657
Joyner Brothers
Construction Inc.**

Joyner Brothers Construction Inc. t/a Joyner Brothers Construction Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$700.00
Board Costs		\$150.00
Total		\$850.00
In addition, for violation of the above counts, Joyner Brothers Construction Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser did not participate and did not vote.

In the matter of Consent Order File Number 2007-03386, Board v. Roger Furrow, t/a N J Masonry, the Board reviewed the Consent Order.

**File Number
2007-03386
Roger Furrow, t/a
N J Masonry**

Roger Furrow, t/a N J Masonry, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 B	\$300.00
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Board Costs		\$150.00
Total		\$450.00
In addition, for violation of the above counts, Roger H Furrow agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser did not participate and did not vote.

In the matter of Consent Order 2007-03680, Board v. Signature Companies LLC, t/a Kirkland Contracting the Board reviewed the Consent Order.

**File Number
2007-03680
Signature
Companies LLC,
t/a Kirkland
Contracting**

Signature Companies LLC t/a Kirkland Contracting., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$300.00
Board Costs		\$150.00
Total		\$450.00
In addition, for violation of the above counts, Signature Companies LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser did not participate and did not vote.

In the matter of Consent Order 2007-03935, Board v. Carlos Roberto Araya, t/a Malfa Construction Inc the Board reviewed the Consent Order.

**File Number
2007-03935
Carlos Roberto**

Carlos Roberto Araya, t/a Malfa Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Araya, t/a Malfa Construction, Inc.

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22-230 B	\$350.00
Count 3:	18 VAC 50-22-260 B 27	\$1,500.00
Count 4:	18 VAC 50-22 260 B 31	\$1,000.00
Count 5:	18 VAC 50-22-260 B 5	\$1,000.00
Count 6:	18 VAC 50-22-260 B 14	\$1,500.00
Count 7:	18 VAC 50-22-260 B 16	\$1,500.00
Board Costs		\$150.00
Total		\$7,200.00
In addition, for violation of counts 6 and 7, Carlos Roberto Araya agrees to revocation of his license.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser was not present and did not vote.

In the matter of Consent Order 2007-04161, Board v. John Henry Fillman Jr., t/a Fillmann's Construction the Board reviewed the Consent Order.

File Number
2007-04161
John Henry
Fillman Jr., t/a
Fillmann's
Construction

John Henry Fillman Jr., t/a Fillmann's Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22 230 B	\$300.00
Count 3:	18 VAC 50-22 260 B 15	\$1,000.00
Count 4:	18 VAC 50-22-260 B 16	\$1,000.00
Board Costs		\$150.00
Total		\$2,650.00
In addition, for violation of the above counts, John Henry Fillmann, Jr. agrees to have his license revoked.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser was not present and did not vote.

In the matter of Consent Order 2007-05221, Board v. Dustin Lee Harper, t/a Harper Custom Homes the Board reviewed the Consent Order.

File Number
2007-05221
Dustin Lee Harper

Dustin Lee Harper t/a Harper Custom Homes., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Count 2:	18 VAC 50-22 260 B 16	\$1,500.00
Board Costs		\$150.00
Total		\$2,050.00
In addition, for violation of count 2, Dustin Lee Harper agrees to revocation of his license. Dustin Lee Harper must comply with the following conditions and then the Board shall waive imposition of his license: 1. \$11,607.50 is to be repaid to James Montgomery within 90 days of the effective date of the Order. 2. Dustin Lee Harper agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. 3. Dustin Lee Harper completes two (2) years of probation. If Dustin Lee Harper to comply with these conditions, then revocation will be automatically imposed.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser was not present and did not vote.

In the matter of Consent Order 2007-04176, Board v. Bruce W Pierce, t/a Arrow Pierce Const Co the Board reviewed the Consent Order.

File Number
2007-04176
Bruce W Pierce

Bruce W Pierce t/a Arrow Pierce Const Co, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$400.00
Count 2:	18 VAC 50-2-230.B	\$400.00
Count 3:	18 VAC 50-22-260.B.13	\$350.00

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Count 4:	18 VAC 50-22-260. B 27	\$500.00
Count 5:	18 VAC 50 22 260 B 27	\$1,000.00
Count 6:	18 VAC 50 22 260 B 1	\$500.00
Count 7:	18 VAC 50 22 260 B 14	\$1,000.00
Board Costs		\$150.00
Total		\$4,300.00
In addition, for violation of counts 6 and 7, Bruce W Pierce agrees to revocation of his license.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser was not present and did not vote.

In the matter of Consent Order 2007-01365, Board v. Richard E Toney, Jr., t/a True Colors Painting Services the Board reviewed the Consent Order.

**File Number
2007-01365
Richard E Toney,
Jr.**

Richard E Toney t/a True Colors Painting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 2	\$00.00
Board Costs		\$0.00
Total		\$0.00
In addition, for violation of the above count, Richard E Toney Jr. agrees to revocation of his license.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kirby was not present and did not vote.

In the matter of Consent Order 2007-00573, Board v. Bobby Sledge, t/a B & S Concrete the Board reviewed the Consent Order.

**File Number
2007-00573
Bobby Sledge**

Bobby Sledge t/a B & s Concrete, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$200.00
Count 2:	18 VAC 50 22 260 B 9	\$200.00
Count 3:	18 VAC 50 22 260 B 28	\$1,000.00
Board Costs		\$150.00
Total		\$1,550.00

In addition, for violation of count 3, Bobby Sledge agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, the board shall waive imposition of the \$1,000.00 monetary penalty for Count 3 provided Bobby Sledge satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of this order. If Bobby Sledge fails to comply with these conditions, then the full monetary penalty will be automatically imposed and suspension of his license until the judgment has been paid in full.

Bobby Sledge agrees to satisfy the judgment and provide the Board with proof of satisfaction within ninety days of the effective date of the order.

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-00876, Dustin Lee Harper, t/a Harper Custom Homes the Board reviewed the Consent Order.

File Number
2007-00876
Dustin Lee Harper,
t/a Harper Homes

Dustin Lee Harper t/a Harper Custom Homes., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22 260 B 17	\$1,500.00
Count 3:	18 VAC 50-22-260 B 19	\$600.00
Board Costs		\$150.00
Total		\$2,600.00

In addition, Dustin Lee Harper agrees to have a member of

Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

Mr. Kinser was not present and did not vote.

In the matter of Consent Order 2007-01034, Board v. Larry E Williams III the Board reviewed the Consent Order.

File Number
2007-01034
Larry E. Williams
III

Larry E Williams III, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$300.00
Count 2:	18 VAC 50 22 260 B 9	\$100.00
Count 3:	18 VAC 50 22 260 B 27	\$400.00
Board Costs		\$150.00
Total		\$950.00
In addition, for violation of the above counts, Larry E Williams III agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-02456, James Day Sr., t/a JD’s Home Improvement the Board reviewed the Consent Order.

File Number
2007-02456
James Day Sr., t/a
JD’s Home
Improvement

James Day Sr. t/a JD’s Home Improvement., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$0.00
Count 2:	18 VAC 50-22 260 B 6	\$0.00

Board Costs		\$150.00
Total		\$150.00
In addition, for violation of counts, James Day Sr agrees to revocation of his license.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-02457 Baldwin Builders Inc, t/a Baldwin Pools the Board reviewed the Consent Order.

**File Number
2007-02457
Baldwin Builders
Inc**

Baldwin Builders Inc, t/a Baldwin Pools., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	5.7.B.18	\$00.00
Count 2:	5.7.B.19	\$500.00
Count 3:	18 VAC 50-22-260. B 22	\$0.00
Count 4:	18 VAC 50-22-260 B 23	\$500.00
Count 5:	18 VAC 50-22 260 B 22	\$0.00
Count 6:	18 VAC 50-22-260.B 23	\$500.00
Board Costs		\$150.00
Total		\$1,650.00
In addition, for violation Baldwin Builders, Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-02509, David Kuchynka, t/a Handyman for Hire the Board reviewed the Consent Order.

**File Number
2007-02509
David Kuchynka**

David Kuchynka t/a Handyman for Hire., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$400.00
Count 2:	18 VAC 50-22 260 B 31	\$250.00
Board Costs		\$150.00
Total		\$800.00
David W Kuchynka agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-02882, Cherry Carpet Inc, t/a Cherry Carpet Inc the Board reviewed the Consent Order.

**File Number
2007-02882
Cherry Carpet,
Inc.**

Cherry Carpet Inc, t/a Cherry Carpet Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$250.00
Board Costs		\$150.00
Total		\$400.00
In addition, for violation of count 1, Cherry Carpet Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-03284, Nafees Mohammad, t/a RN Contractors the Board reviewed the Consent Order.

**File Number
2007-03284
Nafees Mohammad**

Nafees Mohammad t/a RN Contractors., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$200.00
Count 2:	18 VAC 50-22 230 A	\$200.00
Count 3:	18 VAC 50-22-260.B.18	\$300.00
Count 4:	18 VAC 50-22-260.B 27	\$400.00
Count 5:	18 VAC 50-22-260.B.27	\$400.00
Board Costs		\$150.00
Total		\$1,650.00
Further, Nafees Mohammad agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-03432, Joseph Fowkes t/a Wateredge Construction Inc the Board reviewed the Consent Order.

**File Number
2007-03432
Joseph Fowkes**

Joseph Fowkes t/a Wateredge Construction Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$100.00
Board Costs		\$500.00
Total		\$600.00

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.**

Wood was not present; did not participate and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2007-03557 Schroeder Custom Build LLC, the Board reviewed the Consent Order.

**File Number
2007-03557
Schroeder Custom Build, LLC**

Schroeder Custom Build, LLC., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-220 B	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, Schroeder Custom Build LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-03892 Lonnie James Gammon III t/a First Quality Roofing the Board reviewed the Consent Order.

**File Number
2007-03892
Lonnie James
Gammon III**

Lonnie James Gammon III t/a First Quality Roofing, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22 260 B 6	\$700.00
Count 3:	18 VAC 50-22-260.B 13	\$1,300.00
Board Costs		\$150.00
Total		\$2, 500.00
Further Lonnie James Gammon III agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-03900 Greater Lynchburg Habitat for Humanity, Inc the Board reviewed the Consent Order.

**File Number
2007-03900
Greater Lynchburg
Habitat**

Greater Lynchburg Habitat for Humanity, Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-220 C	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further Greater Lynchburg Habitat For Humanity Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04123 Destiny International Incorporated the Board reviewed the Consent Order.

File Number
2007-04123
Destiny
International
Incorporated

Destiny International Incorporated, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$300.00
Count 2:	18 VAC 50-22 260 B 27	\$650.00
Count 3:	18 VAC 50-22-260. B 6	\$800.00
Board Costs		\$150.00
Total		\$1,900.00
Further, Destiny International Incorporated agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04172, Steven Scott Childress t/a Steven Childress Construction the Board reviewed the Consent Order.

File Number
2007-04172
Steven Scott
Childress

Steven Scott Childress t/a Steven Childress Construction., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$650.00
Count 2:	18 VAC 50-22 260 B 6	\$800.00
Board Costs		\$150.00
Total		\$1,600.00
In addition, Steven Scott Childress agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04315 James Clifton Baker, II t/a James Baker Custom Builders the Board reviewed the Consent Order.

**File Number
2007-04315
James Clifton
Baker II**

James Clifton Baker II t/a Baker Custom Builders, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further James Clifton Baker II agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04755 James Jenkins Roofing Company, Inc. the Board reviewed the Consent Order.

**File Number
2007-04755
James Jenkins
Roofing Co., Inc.**

James Jenkins Roofing Company, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22 260 B 31	\$350.00
Board Costs		\$150.00
Total		\$700.00
Further James Jenkins Roofing Co Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**
Cronin and Hart were absent.

In the matter of Consent Order 2007-04848 Murphy Mechanical Services LLC the Board reviewed the Consent Order.

File Number
2007-04848
James Wesley
Murphy, t/a
Murphy
Mechanical
Services LLC

Murphy Mechanical Services LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Board Costs		\$150.00
Total		\$550.00
Murphy Mechanical Services LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-00060 George E Lackert, t/a George E Lackert the Board reviewed the Consent Order.

File Number
2008-00060
George E Lackert

George E Lackert, t/a George E Lackert , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further George E Lackert agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-00124 The Herbert Senn Company, Inc, t/a The Herbert Senn Company, Inc. the Board reviewed the Consent Order.

File Number
2008-00124
The Herbert Senn
Company, Inc

The Herbert Senn Company, Inc. t/a The Herbert Senn Company, Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further The Herbert Senn Company, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-00196 Damon Lee Gray, t/a Progressive Home Builders the Board reviewed the Consent Order.

File Number
2008-00196
Damon Lee Gray

Damon Lee Gray, t/a Progressive Home Builders acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Count 2:	18 VAC 50-22 260 B 6	\$300.00
Count 3:	18 VAC 50-22-260.B 31	\$400.00
Board Costs		\$150.00
Total		\$1,250.00
Further Damon Lee Gray agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-00413 Ernest Wayne Hicks, t/a Virginia’s Finest Painting the Board reviewed the Consent Order.

File Number
2008-00413
Ernest Wayne
Hicks

Ernest Wayne Hicks t/a Virginia’s Finest Painting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$200.00
Count 2:	18 VAC 50-22 260 B 27	\$100.00
Count 3:	18 VAC 50-22-260 B 4	\$200.00
Board Costs		\$150.00
Total		\$650.00
Further Ernest Wayne Hicks agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-01039 Leonard Wells t/a Lenny Wells Paving the Board reviewed the Consent Order.

File Number
2008-01039
Leonard Wells

Leonard Wells, t/a Lenny Wells Paving, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further Leonard Wells agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-01087 Mary J Crooks, t/a Maracrete the Board reviewed the Consent Order.

File Number
2007-01087
Mary J Crooks

Mary J Crooks, t/a Maracrete acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$600.00
Count 2:	18 VAC 50-22 260 B 11	\$300.00
Board Costs		\$150.00
Total		\$1,050.00
Further, Mary J Crooks agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-01343 MacFarlane Homes Inc, t/a MacFarlane Homes Inc the Board reviewed the Consent Order.

File Number
2008-01343
MacFarlane Homes Inc

MacFarlane Homes Inc, t/a MacFarlane Homes Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, MacFarlane Homes Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2008-01581 Somerset Homes, t/a Somerset Development Company the Board reviewed the Consent Order.

**File Number
2008-01581
Somerset Homes**

Somerset Homes, t/a Somerset Development Company, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29 (2 violations at \$500.00 each)	\$1,000.00
Board Costs		\$150.00
Total		\$1,150.00
Further, Somerset Homes agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the Matter of Consent Order 2008-02491 Trans Electric LLC, t/a Trans Electric LLC the Board reviewed the Consent Order.

**File Number
2008-02491
Trans Electric LLC**

Trans Electric LLC, t/a Trans Electric LLC, acknowledges an understanding of the

charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 19	\$650.00
Board Costs		\$150.00
Total		\$800.00
Further, Trans Electric LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04427 Theta Sight & Sound LLC the Board reviewed the Consent Order.

File Number
2007-04427
Theta Sight &
Sound LLC

Theta Sight & Sound LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$500.00
Board Costs		\$150.00
Total		\$650.00
In addition, Theta Sight & Sound LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04463 Bennie Harrison, t/a Bennie Harrison Paving the Board reviewed the Consent Order.

File Number
2007-04463
Bennie Harrison

Bennie Harrison, t/a Bennie Harrison Paving, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$150.00
Count 2:	18 VAC 50-22 260 B 31	\$150.00
Board Costs		\$150.00
Total		\$450.00
In addition, Bennie Harrison agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-04610 Naylor R Harrison, III, t/a N R Harrison Paving the Board reviewed the Consent Order.

File Number
2007-04610
Naylor R Harrison,
III

Naylor R Harrison III, t/a N R Harrison Paving, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$650.00
Count 2:	18 VAC 50-22 260 B 19	\$650.00
Board Costs		\$150.00
Total		\$1,450.00
In addition, Naylor R Harrison III agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

In the matter of Consent Order 2007-05166 Issac Jon Hawkins, t/a Diversified Residential Services the Board reviewed the Consent Order.

File Number
2007-05166

Issac Jon Hawkins, t/a Diversified Residential Services, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Issac Jon Hawkins

Count 1:	18 VAC 50-22-260 B 27	\$1,000.00
Count 2:	18 VAC 50-22 260 B 6	\$800.00
Count 3:	18 VAC 50-22-260 B 17	\$1,500.00
Board Costs		\$150.00
Total		\$3,450.00
In addition, Issac Jon Haskins agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Tomlin, Walton and Wood.**

Smith was not present; did not participant and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2007-02460 Troy L Suntheimer, t/a T S Contracting the Board reviewed the Consent Order.

File Number
2007-02460
Troy L Suntheimer

Troy L Suntheimer, t/a T S Contracting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Count 2:	18 VAC 50-22 260 B 27	\$650.00
Count 3:	18 VAC 50-22-260 B 25	\$1,000.00
Board Costs		\$150.00
Total		\$2,200.00
In addition, for violation of count 2 and 3, Troy L Suntheimer agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Further for violations of Counts 2 and 3, Troy L Suntheimer agrees to a one (1) year probation of his license as of the effective date of the order. He agrees to comply with the rules and regulations of the Board for Contractors and not to be convicted in any state or city of any felony, misdemeanor, or federal, state or local ordinance. If Troy L Suntheimer violates any terms of this probation, his license will be revoked, pending board review.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes"**

were: **Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.**

Wood was not present; did not participant and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2007-04992 Terry L. Lilliard, t/a Lee & Company, the Board reviewed the Consent Order.

**File Number
2007-04992
Terry L. Lilliard,
t/a Lee & Company**

Terry L. Lilliard, t/a Lee & Company, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 17	\$750.00
Count 2:	18 VAC 50-22 260 B 27	\$500.00
Board Costs		\$150.00
Total		\$1,400.00
In addition, for violation of count 1 and 2, Terry L. Lilliard agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.**

Wood was not present; did not participate and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2007-05096 TMS Construction, Inc., the Board reviewed the Consent Order.

**File Number
2007-05096
TMS Construction,
Inc.**

TMS Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 15	\$1,500.00
Board Costs		\$150.00
Total		\$1,650.00
In addition, for violation of count 1 TMD Construction, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.**

Wood was not present; did not participate and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2008-00482 Robert M. Gibbs, t/a R & S Electrical, the Board reviewed the Consent Order.

**File Number
2008-00482
Robert M. Gibbs,
t/a R & S Electrical**

Robert M. Gibbs, t/a R & S Electrical, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$0.00
Count 2:	18 VAC 50-22 260 B 15	\$0.00
Count 3:	18 VAC 50-22-260 B 16	\$0.00
Count 4:	18 VAC 50-22-260 B 28	\$0.00
Board Costs		\$150.00
Total		\$150.00
In addition, Robert M. Gibbs agrees to revocation of his license number 2705-067337.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, and Walton.**

Wood was not present; did not participate and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2006-04731 Mark A. Chatmon, the Board reviewed the Consent Order.

**File Number
2006-04731
Mark A. Chatmon**

Mar A. Chatmon, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$150.00
Count 2:	18 VAC 50-22 260 B 27	\$150.00
Board Costs		\$500.00
Total		\$800.00
In addition, for violation of count 1 and 2, Mark A. Chatmon		

agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.
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Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Tomlin, and Walton.**

Rackas Pate and Wood were not present; did not participate and did not vote.

Cronin and Hart were absent.

In the matter of Consent Order 2007-05043 Donnie C. Hart, t/a Hart Contracting, Inc. the Board reviewed the Consent Order.

**File Number
2007-05043
Donnie C. Hart
t/a Hart
Contracting, Inc.**

Donnie C. Hart, t/a Hart Contracting, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22 260 B 14	\$1,500.00
Count 3:	18 VAC 50-22-260 B 16	\$1,500.00
Count 4:	18 VAC 50-22-260 B 28	\$800.00
Board Costs		\$150.00
Total		\$4,300.00
In addition, the Board shall waive imposition of the \$1,500.00 monetary penalty for Count 3 provided Hart Contracting reimburses \$15,000.00 to Dr. Michael Morch and provides the Board with proof of the payment within ninety (90) days. If Hart Contracting fails to comply with these conditions, then license revocation for Counts 2 and 3 will automatically be imposed and the full monetary penalty for Count 2 will be automatically reinstated.		
In addition, Hart Contracting, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Walton** seconded by **Mr. Redifer** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Smith, Tomlin, and Walton.**

Redifer and Wood were not present; did not participate and did not vote.

Cronin and Hart were absent.

The Board recessed for lunch at 11:43 p.m. and reconvened at 12:00 p.m.

**Recess and
Reconvene**

B. Auditing of Education Programs

**Other Board
Business -
Committee Report
Continued**

The Board reviewed the education provider audit reports submitted by staff. These were the first two audits completed after the development of procedures and documentation by staff. The Committee recommends that the procedures and forms be adopted as recommended, but that the process be carefully monitored by the Committee on a regular basis and that modifications to the forms and procedures be completed as required. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Committee's recommendations. The motion was approved unanimously. **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

C. Education Provider Training

The Board reviewed the recommendation of the Committee that would require education providers, as a prerequisite to approval, attend a scheduled training class provided by staff. This would be mandatory for ALL training providers with failure to attend the training resulting in the suspension of their approval as providers. The Board determined that they did not have the authority to require existing providers to attend the training so they could not make it mandatory. The idea of provider training itself, however, was approved and the Board directed staff to develop the training to be used on a voluntary basis.

D. Provisional Approvals

The Board adopted the Committee recommendation that provisional approvals be discontinue.

E. Water Well Vocational Training

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Kirby** to adopted the Committee's recommendation that requires the vocational training program being developed for water well system providers be comprehensive in nature and that specific course curriculum be reviewed by the Board as needed. This was the result of an issue that was brought to the Committee by the Virginia Water Well Association that wanted to find a way to have the majority of classes offered at their annual conference and regional "Jubilee" be independently considered for meeting the 48 hour education requirement. In keeping with the requirements of all of the other approved vocational education programs, the Board wants the curriculum to be submitted for approval in a block, not as 12-48 individual classes. The motion was approved unanimously. **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer,**

Smith, Tomlin, Walton and Wood.

Cronin and Hart were absent.

F. Advanced Contractor Courses

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to adopt the Committee's recommendation that, as a part of a disciplinary sanction, Advanced Remedial Education no longer be assigned. There have been a number of instances where individuals have been signed up for this class well within the sanctioning deadline, but the provider has canceled the class due to an insufficient amount of reservations. The Board should not require that an individual attend a class in a certain amount of time, knowing that there is a possibility that the class will not be available during that time frame. The motion was approved unanimously. **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

G. Education Contact Hours vs. Comprehension Level

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the Committee's recommendation that the Board emphasize that courses must meet the minimum requirements for the class, at 50 minutes of instruction per one hour of class time. The motion was approved unanimously. **Members voting "yes" were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

1. The Board reviewed the Committee discussion involving the conflict in the regulations of the Virginia Department of Health and the Virginia Uniform Statewide Building Code regarding the authority of a plumber to work on various portions of a water well system. The Board affirmed the Committee recommendation that no action on the Board's part as this is a conflict that should be worked out between VDH and DHCD, additionally; this conflict is not addressed in the regulations or statutes pertaining to contractors and should remain that way. **New Business**

2. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the Committee's recommendation that the Board commence the regulatory review process for both contractor and individual regulations. There are several items the Committee would like to look at including, but not limited to, amendments to the specialties, clarification language in both new and continuing eligibility sections and

some possible changes to the education provider sections. The motion was approved unanimously. **Members voting “yes” were: Kinser, Kirby, Miller, Modisett, Rackas Pate, Redifer, Smith, Tomlin, Walton and Wood.**

Cronin and Hart were absent.

3. Mr. Redifer notified the Board that the updates to the Virginia Uniform Statewide Building Code will become effective on May 1, 2008.

4. The Board discussed the issues that have come up in the certification of water well system providers that are sole proprietorships and the difficulty they have in obtaining work experience under the direct supervision of a certified master water well system provider. This appears to have been an item issue that was not anticipated during the development of the statutes. Since this is a statutory issue it will take a statutory solution. The Virginia Water Well Association is aware of the problem and it should be addressed at the next session. Until then, the Board will look at alternative methods of documentation that can be used, such as those currently in place and used for tradesmen licenses. This will still not likely be a solution that is applicable to all of those affected by the statutes.

Their being no further business to come before the board, the meeting was adjourned at 12:40 P.M. upon a motion by Mr. Kirby and seconded by Ms. Wood. **The motion passed by unanimous vote. Members voting yes were: Kinser, Kirby, Miller, Modisett, Redifer, Smith, Rackas Pate, Tomlin and Walton and Wood.**

Adjournment

Cronin and Hart were absent.

Mark D. Kinser, Chairman

Jay W. DeBoer, Secretary

Board for Contractors Meeting Minutes

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